

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION #10/04-126:** Preliminary Determination Pursuant to the Audit of the Department of Cultural Affairs (DCLA) Equal Employment Opportunity Program from January 1, 2006 through December 31, 2008.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), a set of uniform standards and procedures designed to ensure the equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

**Whereas**, the Equal Employment Practices Commission audited the Department of Cultural Affairs' Equal Employment Opportunity Program; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, therefore,

**Be It Resolved,**

that pursuant to the audit of the Department of Cultural Affairs' compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Documentation of meetings between managers and supervisors and their subordinates to discuss the City's EEO Policies and re-emphasize their commitment to EEO was not maintained.
2. Fifty-seven percent of the respondents to the EEPC Employee Survey who were employed for over a year indicated that they had not received an annual performance evaluation within the past 12 months.
3. The agency's organization chart did not reflect the reporting relationship of the EEO Officer and agency head.

**Be It Finally Resolved,**

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Department of Cultural Affairs Commissioner, Kate Levin, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter

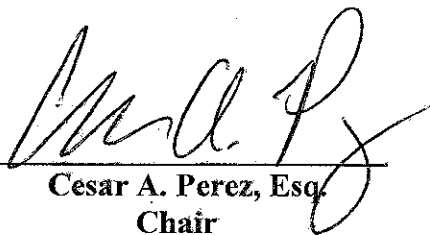
36 of the City Charter, her response to these findings within thirty days of receipts of the letter indicating what corrective actions the Department of Cultural Affairs will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on April 22, 2010.

**Angela Cabrera**  
**Commissioner**

**Malini Cadambi Daniel**  
**Commissioner**

**Elaine S. Reiss, Esq.**  
**Commissioner**



**Cesar A. Perez, Esq.**  
**Chair**

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION #10/07-126C:** Determination of implementation by the Department of Cultural Affairs of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Cultural Affairs' Charter-mandated Equal Employment Opportunity Program from January 1, 2006 to December 31, 2008.

**Whereas**, pursuant to Chapter 36, Section 831(d) (2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy, a set of uniform standards and procedures designed to ensure equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

**Whereas**, pursuant to its audit of the Department of Cultural Affairs (DCLA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 22, 2010, setting forth its findings and recommended corrective actions; and

**Whereas**, the DCLA submitted its response to EEPC's preliminary determination letter, May 20, 2010; and

**Whereas**, the EEPC submitted its initiation of compliance letter on May 28, 2010; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DCLA for a period not to exceed six months, from June 1, 2010 through November 30, 2010, to determine whether it implemented the aforementioned recommended corrective actions; and

**Whereas**, the Department of Cultural Affairs submitted its Final Compliance Report on August 4, 2010; and

**Whereas**, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy; and

**Whereas**, the members of this Commission have reviewed a Compliance Summary Report prepared by the EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

**Be It Resolved,**

that the Department of Cultural Affairs has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

**Be It Finally Resolved,**

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the Department of Cultural Affairs, Kate Levin, formally informing her that the DCLA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on August 6, 2010.

**Angela Cabrera**  
**Commissioner**

**Malini Cadambi Daniel**  
**Commissioner**

**Elaine S. Reiss, Esq.**  
**Commissioner**

A handwritten signature in black ink, appearing to read 'C.A. Perez', is written over a horizontal line. The signature is cursive and stylized.

**Cesar A. Perez, Esq.**  
**Chair**




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KATE D. LEVIN  
Commissioner

To: All Staff

From: Kate D. Levin 

Date: July 12, 2010

**Subject: Equal Employment Practices Commission Audit**

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The Equal Employment Practice Commission (EEPC) recently completed an audit of the Department of Cultural Affairs' (DCLA) compliance with the City's Equal Employment Opportunity Program. The audit specifically addressed the thirty-six month period from January 1, 2006 through December 31, 2008. The auditors also looked at our current practices and conducted an on-line survey of our staff to ascertain how effectively the agency is addressing Equal Employment Opportunity (EEO) issues. The EEPC listed the three recommendations below, which are given along with a status update on their implementation.

1. Managers and supervisors must conduct documented meetings with staff, at least twice a year, to reaffirm their commitment to the City's EEO Policy and to discuss the right of employees to file EEO complaints with the Agency's EEO Officer.

**Status update:** on May 26, 2010, Cynthia Ingram informed Managers about the requirement to hold these meetings, which will occur in August and April of each year. At the beginning of August and April, managers will receive an outline for briefing staff at these meetings.

2. Develop a plan to evaluate performance of all non-managerial employees.

**Status update:** on April 28, 2010, Margaret Morton introduced the new implementation schedule for evaluating all Non-Managerial employees going forward; Cynthia Ingram has been working with Managers to ensure compliance.

3. Update Agency organization chart to reflect that Cynthia Ingram is the Agency's EEO Officer and reports directly to the Commissioner.

**Status update:** the Agency's organization chart has been updated to reflect this reporting relationship.

I take this opportunity to affirm the Agency's strong commitment to maintaining fair employment practices for all of its employees and job applicants. I am firmly committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under this policy and encouraging a tolerant work environment.